

PATENT  
Atty. Dkt. No.: 9D-DW-19324

REMARKS

The Office Action dated July 15, 2003 has been carefully reviewed and the following response has been made in consequence thereof.

Claims 1, 3-5, 7-10, 13-17, and 19-22 are now pending in this application. Claims 1, 3-5, 7-10, 16, 17, 19, 20, and 22 are allowed. Claims 13-15, and 21 are rejected. Claims 2, 6, 11-12, and 18 have been previously canceled.

The rejection of Claims 13-15 and 21 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,502,715 to Lundblade (hereinafter referred to as "Lundblade") is respectfully traversed.

Lundblade describes a latch assembly 28 including a handle 29 and a latch 30. Referring to Figs. 7-10, the handle includes a pivot portion 56 and a gripping portion 57. The pivot portion is sized to be inserted between a plurality of side walls 35 and 36 of a bracket 33, and a plurality of openings 58 and 59 are provided in ends of the pivot portion for receiving two pivot pins 49. One pin extends through an opening 50 in the side wall 35 and into the opening 58 in the pivot portion, and another pin extends through an opening 52 in the side wall 36 and into the opening 59 in the pivot portion. The pivot portion 56 of the handle includes a projection 62 (Fig. 7) which extends radially with respect to an axis of rotation 63 of the pivot portion.

Referring to Figs. 11-13, the latch includes a pivot portion 71, a latching portion 72, and an L-shaped connecting portion 73 which extends between the pivot portion and the latching portion. The pivot portion 71 is generally cylindrical and is sized to be inserted between the side walls 35 and 36 of the bracket 33. The ends of the pivot portion are provided with openings 74 and 75 which receive pivot pins 49 which extend through the openings 51 and 53, respectively, in the bracket 33.

A groove 76 is provided in the upper surface of the pivot portion 71 of the latch between a pair of projections 77 and 78. The groove has an arcuate or curved surface which is adapted to receive the projection 62 of the handle when the two parts are mounted in the bracket 33. The center of the groove is radially aligned with a pivot axis 79 of the pivot portion. After a lid is

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closed, the latch can be moved from its unlatched position shown in Fig. 5 to its latched position shown in Fig. 6 by pivoting the handle counterclockwise to move the projection 62 and the groove 76 over the center. The handle acts as a lever which pivots the latch 30 clockwise to bring the latching portion 72 into the recess 31 in the base of the cooler. The engagement between the upper surface 82 of the latching portion and the upper surface 86 of the recess 31 retains the lid in the closed position.

Claim 21 recites a method for assembling a door latch assembly for a dishwasher, the latch assembly for securing a dishwasher door to a dishwasher tub assembly, the method including "providing a handle having a substantially planar first contact surface; providing a handle retainer; connecting the handle to the handle retainer; and coupling a keeper having a substantially planar second contact surface to the handle providing sliding contact between the first contact surface and the second contact surface such that the handle is rotatable in a first direction and the keeper is rotatable in a second direction that is opposite the first direction".

Lundblade neither describes nor suggests a method for assembling a door latch assembly for a dishwasher, the latch assembly for securing a dishwasher door to a dishwasher tub assembly, and the method including providing a handle having a substantially planar first contact surface, providing a handle retainer, connecting the handle to the handle retainer, and coupling a keeper having a substantially planar second contact surface to the handle providing sliding contact between the first contact surface and the second contact surface such that the handle is rotatable in a first direction and the keeper is rotatable in a second direction that is opposite the first direction. Moreover, Lundblade neither describes nor suggests coupling a keeper having a substantially planar second contact surface to the handle providing sliding contact between the first contact surface and the second contact surface such that the handle is rotatable in a first direction and the keeper is rotatable in a second direction that is opposite the first direction. Rather, Lundblade describes the handle having a projection receivable within a groove of the latch.

For at least the reasons set forth above, Claim 21 is submitted to be patentable over Mercer.

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Claims 13-15 depend from Claim 21, and when the recitations of Claims 13-15 are considered in combination with the recitations of Claim 21, Claims 13-15 are likewise submitted to be patentable over Lundblade.

For the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 13-15 and 21 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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